

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption against Sri R.Vasantham, Executive Engineer, Irrigation (I.B.Division), Karimnagar District – Trapped by Anti Corruption Bureau officials on 21-04-2008 – Sanction of Prosecution Orders – Issued.

IRRIGATION & COMMAND AREA DEVELOPMENT (SERVICES-VI(1) DEPARTMENT

G.O.Ms.No. 12.

Dated 11-02-2009.

O R D E R:

Whereas Sri Racharla Vasantham worked as Executive Engineer, Irrigation (I.B.) Division, Karimnagar District during the period from 10-03-2003 to 21-08-2008 and as such he is a public servant within the meaning of clause (c) of section 2 of the Prevention of Corruption Act,1988 (Central Act 49 of 1988);

2. And whereas, it is alleged that Sri Nimmala Srinivas Reddy, S/o. Malla Reddy is a resident of Ummapur (V), Husnabad Mandal, Karimnagar District and he is presently serving as Sarpanch of the Village Gram Panchayath. He was also elected as Chairman of Water User Committee of his village during 2004. During his tenure as Chairman, the construction of percolated tank across Mahasamudram Loddi near Ummapur (V) was entrusted to Sri Nimmala Srinivas Reddy by the Superintending Engineer, Irrigation & Command Area Development Department, Nirmal Circle, Adilabad District. In this regard, an agreement was executed between Sri Nimmala Srinivas Reddy, and Superintending Engineer, Irrigation & Command Area Development Department, Nirmal on 27-05-2005 vide LS AB No.2/2005-06 with an estimated cost of Rs.23,17,532/- to execute the said work. The work undertaken by Sri Nimmala Srinivas Reddy has to be executed under the supervision of Executive Engineer, Irrigation Division, Karimnagar. On passing sight clearance orders by the Executive Engineer, Irrigation Division, Karimnagar, Sri Nimmala Srinivas Reddy started the construction work of percolated tank across Mahasamudram Loddi near his village Ummapur and completed the work worth Rs.9.20 lakhs in October, 2006. Thus Sri Nimmala Srinivas Reddy, received an amount of Rs.6.60 lakhs in the shape of net cash and food grain (rice) through 3 part bills. The remaining amount of Rs.2.60 lakhs worth of food grains i.e., rice has to be delivered to Sri Nimmala Srinivas Reddy. Due to non-availability of food grain (rice) the Project Director District Water Management, Karimnagar directed the Executive Engineer vide letter dated 05-02-2008 to make necessary arrangements to pay the bill in the form of net cash;

3. And whereas, on 06-02-2008 Sri Nimmala Srinivas Reddy, approached Sri R.Vasantham, Executive Engineer at his office Irrigation Division, Karimnagar and enquired about his cheque of Rs.2.60 lakhs, for which the Executive Engineer informed him that after obtaining permission from the Superintending Engineer, Irrigation & Command Area Development Department, Nirmal the cheque would be released. After one month Sri Nimmala Srinivas Reddy met Sri R.Vasantham, Executive Engineer at his office and asked about his cheque. Sri R.Vasantham, Executive Engineer informed that the Superintending Engineer, Irrigation & Command Area Development Department, Nirmal accorded permission and so saying demanded to pay an amount of Rs.10,000/- as bribe to deliver the cheque. On which Sri Nimmala Srinivas Reddy, expressed his inability to pay such huge amount. Afterwards Sri Nimmala Srinivas Reddy, met Sri R.Vasantham, Executive Engineer, 2 to 3 times at his office and requested to deliver his cheque, but Sri R.Vasantham, Executive Engineer did not heed to his request;

(P.T.O.)

4. And whereas, finally Sri Nimmala Srinivas Reddy, met Sri R.Vasantham, Executive Engineer at his office and asked about his cheque, the Executive Engineer enquired with him whether the demanded bribe amount of Rs.10,000/- was brought or not. On which Sri Nimmala Srinivas Reddy, again expressed his inability to pay the demanded bribe amount. Sri R.Vasantham, Executive Engineer, informed Sri Nimmala Srinivas Reddy that the cheque was signed by him and was handed over to his Office Superintendent and strictly instructed him that as and when he would pay the demanded bribe amount, he would tell the Superintendent to deliver the cheque or otherwise, it would not be delivered. Afterwards, Sri Nimmala Srinivas Reddy, met the Office Superintendent and enquired about his cheque, the Superintendent replied that the cheque was already signed by the Executive Engineer on 29-03-2008 and was available with him and informed him that the Executive Engineer had instructed him not to deliver the cheque until his further instructions;

5. And whereas, Sri Nimmala Srinivas Reddy was not willing to pay the bribe amount to Sri R.Vasantham, Executive Engineer, he approached the Inspector, Anti Corruption Bureau, Karimnagar on 19-04-2008 at 09.30 A.M., and lodged a Telugu written complaint with a request to take necessary action against him. The Deputy Superintendent of Police, Anti Corruption Bureau after due verification registered a case in Crime No.6/ACB-KNR/2008 under section 7 of the Prevention of Corruption Act, 1988 on 21-04-2008 at 09.30 A.M., and investigated into;

6. And whereas, Sri R.Vasantham, Executive Engineer, Irrigation (I.B.) Division, Karimnagar District demanded and accepted an amount of Rs.10,000/- as illegal gratification other than legal remuneration from the said Sri Nimmala Srinivas Reddy, at his Office on 21-04-2008 at about 01.00 P.M., and he was trapped by the Deputy Superintendent of Police, Anti Corruption Bureau, Hyderabad Range, In-charge Karimnagar Range. The tainted amount of Rs.10,000/- was recovered at the instance of Sri R.Vasantham, Executive Engineer from his Office table second drawer in the presence of mediators. The right hand fingers of Sri R.Vasantham, Executive Engineer yielded positive results when subjected to sodium carbonate solution test. The contact portion of the register on which the tainted currency was found in the table drawer of the table of Sri R.Vasantham, Executive Engineer, as well on the application dated 19-04-2008 with which he held the bribe amount was also yielded positive result when subjected to sodium carbonate solution test. The Deputy Superintendent of Police, Anti Corruption Bureau seized the tainted amount of Rs.10,000/- with the attestation of mediators. The connected record/documents were seized from the instance of Sri R.Vasantham, and Sri Nimmala Srinivas Reddy with the attestation of mediators;

7. And whereas, the above said acts of Sri R.Vasantham, Executive Engineer, Irrigation (I.B.) Division, Karimnagar District constitute an offence punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

8. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri R.Vasantham, Executive Engineer, Irrigation (I.B.) Division, Karimnagar District from his Office after carefully examining the material placed before them in respect of the said allegations and having regard to the circumstances of the case, considered that the said Sri R.Vasantham, Executive Engineer, should be prosecuted in a competent court of law for the aforesaid offences.

9. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) hereby accord sanction for the prosecution of the said Sri R.Vasantham, Executive Engineer, Irrigation (I.B.) Division, Karimnagar District for the offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other cognate offence punishable under any other provisions of law for the time being in force in respect of the above said acts and for taking cognizance of the said offence by the Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(S.P.TUCKER)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau,
Andhra Pradesh, Hyderabad.

Copy to:
Law (B) Department.

//FORWARDED BY ORDER//

SECTION OFFICER